



Public Notice

U.S. Army Corps of Engineers, Norfolk District

April 2, 2009

CENAO-REG
2009-0705

FEDERAL PUBLIC NOTICE

The District Commander has received a joint application for Federal and State permits as described below:

APPLICANT

Industrial Development Authority of Southampton County
c/o Mike Johnson
P.O. Box 400
Courtland, VA 23837

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located off of Rose Valley Road (SR 688) just southwest of the intersection of SR 688 and SR 671 within the Nottoway Watershed (HUC 03010201) in Southampton County, Virginia.

PROPOSED WORK AND PURPOSE: The applicant proposes to construct an industrial development to include approximately 2 million square feet of warehousing, distribution, light manufacturing, mechanics, assembly and office space with the necessary associated infrastructure including parking and stormwater management. The site will fulfill a growing need for such facilities to fulfill the demands of The Virginia Port. In addition, the project will aid in the economic development of Southampton County.

The development will be located on 254 acres of a 492-acre parcel and will permanently impact 0.3 acres of palustrine forested wetlands, 3.94 acres of palustrine emergent wetlands, 0.3 acres of palustrine open water ditch and 416 linear feet of stream. In addition, necessary improvements to SR 688 will result in 0.11 acres of permanent impacts and 0.05 acres of temporary impacts to palustrine emergent wetlands.

Mitigation: Efforts were made by the applicant to avoid and minimize impacts during project design. The applicant proposes to mitigate for the 0.30 acres of unavoidable palustrine forested wetland impacts by acquiring wetland credits at a 2:1 ratio at the proposed Cheroenhaka Mitigation Bank, located on the remaining 238 acres of the 492-acre parcel. The applicant proposes to mitigate for the 3.94 acres of unavoidable palustrine emergent wetland impacts by creating a 4.64 acre on-site palustrine forested wetland. In order to avoid permanent stream impacts, the applicant proposes to relocate 416 linear feet of stream to the south to become part of the proposed Cheroenhaka Mitigation Bank. The stream will maintain the same length after relocation.

In addition to the required Department of the Army permit, the applicant must obtain a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ) assuring that applicable laws and regulations pertaining to water quality are not violated. Project drawings are attached.

AUTHORITY: Permits are required pursuant to Sections 401 and 404 of the Clean Water Act (Public Law 95-217) and Title 62.1 of the Code of Virginia.

FEDERAL EVALUATION OF APPLICATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected from the proposal must be balanced against its reasonably foreseeable detriments. All of the proposal's relevant factors will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use classification, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The Environmental Protection Agency's "Guidelines for Specification of Disposal Sites for Dredged or Fill Material" will also be applied (Section 404(b)(1) of the Clean Water Act).

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Anyone may request a public hearing to consider this permit application by writing to the District Commander within 30 days of the date of this notice, stating specific reasons for holding the public hearing. The District Commander will then decide if a hearing should be held.

Preliminary review indicates that: (1) no environmental impact statement will be required; (2) no species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; and (3) known properties that are potentially eligible for inclusion or have not been evaluated for inclusion in the National Register of Historic Places are in the permit area and will be affected by the proposal. A Phase I Survey has been conducted on the entire site and the Corps will coordinate with the Virginia Department of Historic

Resources to determine the effect of the development on the surveyed sites. Additional information might change any of these findings. For compliance with the Coastal Zone Management Act of 1972, as amended, the applicant must certify that federally licensed or permitted activities affecting Virginia's coastal zone (Tidewater) will be conducted in a manner consistent with the Virginia Coastal Resources Management Program (VCP). For more information or to obtain a list of the enforceable programs of the VCP, contact the Department of Environmental Quality, Office of Environmental Impact Review at (804) 698-4330 or e-mail: elirons@deq.virginia.gov.

COMMENT PERIOD: Comments on this project should be made in writing, addressed to the Norfolk District, Corps of Engineers (ATTN: CENAO-REG), 803 Front Street, Norfolk, Virginia 23510-1096, and should be received by the close of business on June 2, 2009.

If you have any questions about this project or the permit process, please contact Amy Bourne at (757) 201-7579 or amy.c.bourne@usace.army.mil.

FOR THE DISTRICT COMMANDER:



Nicholas L. Konchuba
Chief, Eastern Virginia
Regulatory Section

Attachment: Drawings



DRAWING 1: VICINITY MAP TURNER TRACT

SOUTHAMPTON COUNTY, VIRGINIA

B NUMBER: 27127

DATE: 1/05/08

SITE AREA: +/-254 ACRES

LATITUDE: 36°38'07" N

LONGITUDE: 76°58'21" W

TIMMONS GROUP

YOUR VISION ACHIEVED THROUGH OURS.



GRAPHIC SCALE



(IN FEET)
1 inch = 2,000 ft.

U.S.G.S. QUADRANGLES: FRANKLIN

NOTTOWAY WATERSHED (HUC 03010201)

